

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JAMES RAWLEY,**  
Plaintiff,  
vs.

No. \_\_\_\_\_

Jury Trial: ☐ Yes

☒ No

**TRANSPORTATION SECURITY ADMINISTRATION,**  
A sub-agency of the United States Department of Homeland Security,  
Defendant.

**COMPLAINT FOR A CIVIL COMPLAINT**

**I. The Parties to This Complaint**

**A. The Plaintiff is:**

James Rawley, a resident of Albuquerque, NM 87102.

**B. The Defendant:**

Transportation Security Agency (hereafter TSA), a sub-agency of the U. S. Department of Homeland Security which is an Agency of the United States Government.

**II. Basis for Jurisdiction**

What is the basis for federal court jurisdiction?

☐ 1. Federal question  
Plaintiff

☐ 3. Diversity of citizenship  
(U.S. Government Not a Party)

☒ 2. U.S. Government  
Defendant

☐ 4. Diversity  
(Indicate Citizenship of the Parties in Item III)

**A. If the basis for Jurisdiction is a Federal Question**

Federal Tort Claims Act, 28 USC 1346, complaint against TSA, a U. S. Government entity. Subject matter is against a Federal Agency. Venue is proper because the incident arose here in Albuquerque, New Mexico.

**III. Statement of Claim**

On 8/25/2022 Plaintiff was going through security at the Albuquerque Airport on a trip to Egypt. The TSA agent ripped Plaintiff's passport and then waived him through. On arriving in Dallas, Plaintiff was not allowed to board the plane to London, which was on the way to Cairo, Egypt. As a result, he came home, along with his wife, Kelly Anne Genova, missing the trip. The trip was set to return September 8, 2022 to Albuquerque. Plaintiff paid all expenses.

**IV. Relief**

Compensation for trip for two to Egypt including Nile Cruise and hotels, visit to Cairo, and plane tickets, replacement of passport, total loss over \$19,000.00. No punitive damages are sought. The TSA Agent was negligent in handling Plaintiff's passport. Due to delay of accepting and paying this claim, Plaintiff asks for pre-judgment interest:

\$1,836 to Avanti for Cairo tour and hotel,

\$17,632.28 to Viking for cruise and round-trip airfare and hotels,

\$220.00 to replace passport of Plaintiff

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the

cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support of, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

Date of Signing: 6/9/2023

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

Email Address

  
James Rawley

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